



Mark Christoffels

01/31/2006 04:50 PM

To: airporteir@longbeach.gov
cc:
Subject: Draft EIR

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CarterCM@aol.com

01/30/2006 04:59 PM

To: angela_reynolds@longbeach.gov
cc:
Subject: Draft EIR

Submitted via Email, January 30, 2006

Angela Reynolds, Environmental Officer
City of Long Beach
Planning and Building Department
333 West Ocean Blvd.
Long Beach, CA 90802

Dear Ms. Reynolds:

Thank you for the opportunity to comment on the Long Beach Airport Expansion Draft Environmental Impact Report ("DEIR"). Since 1986 when the last EIR was prepared for the Long Beach Noise Compatibility Study (Part 150), the airport has grown in an incremental and piecemeal fashion. This segmentation, which is inconsistent with the California Environmental Quality Act (CEQA), has resulted in many impacts occurring without proper evaluation, disclosure and mitigation.

The City now proposes to consider a major permanent expansion to the airport with the potential to increase commercial flights by 27%, the number of passengers served by 40%, the number of airport gates by 40% and the terminal size increase by 100% over the existing conditions. For decades to come, this project will undoubtedly set the course and direction for the airport, as well as the environment, the health and safety of Long Beach residents, the quality and valuation of our communities, and the long term financial and legal obligations for the City of Long Beach and its individual residents and businesses.

As such, it is incumbent on all of us that we have an objective and full disclosure document, as required under CEQA, to ensure that 1) the decision-makers and the public are informed on the direct and indirect environmental effects of the proposed project, 2) all feasible mitigations are identified and adopted, and 3) all alternatives that lessen or avoid significant impacts are identified and evaluated. In addition, we must ensure that the Airport Expansion Project does not jeopardize the Long Beach Airport Noise Compatibility Ordinance ("Noise Ordinance") which stands as the most important protection for Long Beach residents against the adverse effects of

the Airport. Therefore, the Draft EIR fails to fully meet the requirements of CEQA.

The following are inadequacies of the DEIR:

I. Flawed Proposed Project Definition

The DEIR incorrectly limits the Proposed Project to onsite facility improvements and states that there is no causal relationship between the proposed expansion and flight operations.

In fact, the Optimized Scenario presented in the DEIR is a component of the proposed project, and significant impacts from the Optimized Flights Scenario (Optimized Scenario) must be addressed as part of the project. The Negative Declaration (ND-19-94) for the proposed Amendments to the Long Beach Noise Ordinance limited its CEQA evaluation to 41 commercial flights and no other improvements. As such, the proposed expansion of the Airport terminal facilities, increased number of flights and gates and aircraft parking positions will cause an increase in the environmental impacts that must be fully evaluated in this EIR as part of the Proposed Project.

Furthermore, there is no real assurance that the Noise Ordinance may not be invalidated, repealed or compromised at a later date, allowing the expanded facilities, additional gates and parking to be constructed without the proper evaluations under CEQA.

It also should be noted that the NOP released in 2004 stated that the number of passengers served is estimated to be 3.8 million. The current DEIR states that the number of passengers to be served is estimated to increase to 4.2 million annual passengers (MAP). However, it is clear that the proposed project will increase the MAP over this level. Mitigation MM3.8-2 states that "when the annual passenger levels reach 4.2 MAP the Airport Manager will identify... additional onsite parking." This indicates that the Proposed Project is both growth-inducing and may exceed the Optimized Scenario assumptions.

As such, we request that the EIR clearly state that if 4.2 MAP or 52 commercial flights are exceeded, additional environmental review will be completed before allowing additional growth. Otherwise, the underlying assumptions used for evaluating the environmental impacts are insufficient and seriously flawed under CEQA, and mislead the public and the decision-makers.

II. Alternatives Analysis

A. Additional Alternative Required: Reduced Aircraft Gate/Parking Space

The DEIR fails to consider the full range of alternatives and acknowledges that the three build alternatives are very similar and have no substantial differences in environmental impacts. CEQA requires the identification and evaluation of alternatives that reduce or avoid significant impacts. Accordingly, alternatives with no additional or a reduced number of additional aircraft

gates and aircraft parking positions, which would result in fewer adverse impacts, must be addressed.

B. Environmentally Superior Alternative Is Not Justified

The DEIR concludes, without proper justification, that the proposed project is the "environmentally superior alternative" although it acknowledges that there are no real differences in the alternatives. This provides additional substantiation that less impacting alternatives (Reduced Aircraft Gate/Parking Spaces Alternative) must also be considered.

III. Cumulative Impacts, Not Considered

CEQA clearly requires that an EIR evaluate not only project-specific but cumulative impacts between the proposed project and other reasonably foreseeable projects. To-date, the growth at the airport has occurred in a piecemeal and segmented manner, both for airport expansion and related offsite projects. The DEIR on page 5-5 states, "Consideration of a list of other known projects was determined to be inappropriate and infeasible, as most of the projects on cumulative list of projects would occur within the next five years." Rather than utilize the list of reasonably foreseen projects as required by CEQA, the DEIR instead relies on regional growth projections which will mask site-specific cumulative environmental impacts. The related project list, which apparently is available, needs to be identified and evaluated in conjunction with the proposed project alternatives, significant impacts identified and feasible mitigations approved.

IV. Mitigation Measures, Not Enforceable or Omitted

CEQA requires that all feasible mitigation measures that avoid or reduce significant impacts be identified. There are many additional feasible mitigations that can be identified and considered in the DEIR, and ultimately by the decision-makers. The recently completed FEIR/EIS for the *Los Angeles International Airport Proposed Master Plan Improvements* (LAX Master Plan) identified aggressive but feasible measures that would protect human health and the environment, and further reduce significant impacts. Similar measures should be considered in this DEIR. The mitigation measures adopted by the Los Angeles World Airport in the FEIR for the LAX Master Plan are incorporated in this comment letter by reference. The FAA has approved the expenditure of airport funds for a package of community benefits and mitigations for the LAX expansion.

In addition to omitting many feasible mitigation measures, the DEIR also concludes that several issues are mitigated to a level of insignificance even though the identified "mitigations" are stated as voluntary or for later study. The EIR cannot rely on future studies and voluntary mitigations to support its conclusions. Notably the mitigations for air quality, noise, traffic, parking, cultural /historic resources and others lack sufficient detail, commitment and enforceability for the DEIR to conclude that no significant impact would occur.

Furthermore, the DEIR does not clearly identify the responsible parties for the mitigations. Who will require? Who will implement and/or pay? Who will enforce? It is not clear how the commitments will be made. Absent information to the contrary, are we to assume that the City of

Long Beach will be responsible for the payment? CEQA requires that the mitigations be enforceable which will require a commitment from a specific party. The EIR should identify the party (City, Airport trust fund, airlines, terminal operators, etc.) that will be held accountable to implement the mitigations. For example, in the Air Quality section there is a mitigation that the City of Long Beach shall incorporate electric charging infrastructure for electric GSE and other on-airport vehicles (MM3.2-12). Has the City committed to undertaking and paying for this effort? Additionally, it appears that the existing utility service is inadequate to support significant electrification. Will the City pay for the utility service upgrade, if needed?

Mitigations, with the responsible parties, should be provided for all significant impacts associated with the Optimized Scenario (Table 1.11-1). As discussed above, the Optimized Scenario should be a component of the proposed project.

V. Compliance with the National Environmental Policy Act (NEPA)

As indicated in letters to the NOP for the EIR, the proposed project would likely require federal approvals and receive federal funding. As such, this is a discretionary action requiring compliance with the National Environmental Policy Act (NEPA). Given the significant environmental impacts of the proposed project, some which cannot be mitigated to insignificant levels, the proper federal environmental document is an Environmental Impact Statement (EIS) and not a Finding of No Significant Impact (FONSI). CEQA and NEPA guidelines both encourage the preparation of a joint EIR/EIS.

VI. Growth Inducing Impact and Consistency with Regional Plans

The DEIR does not adequately study the growth-inducing impacts of the proposed expansion. An EIR must consider "reasonably foreseeable" direct and indirect consequences of a project. The DEIR acknowledges that the Proposed Project "... may induce airport land uses beyond the airport boundaries"; yet concludes the Project is not growth inducing.

The Proposed Project will result in significant impacts to air quality, noise, historic designation, transportation and other impacts. As such, the Proposed Project appears to be inconsistent with the Long Beach General Plan and its various elements. The air quality impacts contribute to the ongoing non-attainment of the SCAQMD air quality standards. In addition, it appears that the project may exceed the MAP levels stated in the SCAG Regional Transportation Plan. The EIR should more clearly address the potential inconsistencies with Local and Regional Plans.

VII. Recirculation of the EIR

CEQA requires that if there are substantial changes and revisions to the DEIR that it must be recirculated for additional public review and comment. This should certainly apply.

VIII. Specific Comments

A. Air Quality and Human Health Risk Assessment

The DEIR states that the incremental air quality emissions are significant: exceeding established air quality thresholds, contributing substantially to air quality violations and exposing sensitive receptors to significant PM 10, CO and NOx concentrations.

As such, the air quality mitigations are inadequate as previously noted. There are many additional, feasible mitigations that should be identified and considered, particularly that reduce toxic contaminants, such as alternative fuel vehicles and electrification of equipment. The adopted mitigations in the recent FEIR/EIS for the LAX improvements should be reviewed and included in the DEIR. Justification must be given if any of those measures would not be similarly required for the Long Beach airport improvement project.

In addition, mitigations must be real commitments, and not voluntary or deferred for future study. It is inappropriate to consider such measures as reducing impacts, particularly for reducing significant impacts to less than significant levels. (see IV above)

The Human Health Risk Assessment (HHRA) should include a more detailed evaluation of the cumulative exposures to residents and particularly to sensitive receptors from future foreseeable projects from the Ports of LA/LB and 710 Freeway expansions, as well as other major projects that will expose residents, not only in Long Beach but in adjoining areas.

B. Cultural Resources

The DEIR concludes that there will be significant impacts to Cultural Resources due to the alteration of a designated historical landmark. However, the DEIR fails to provide adequate details in the analysis and fails to substantiate, with enforceable mitigations, the conclusion of no significant impact with mitigations.

C. Hazards and Hazardous Materials

Previous documents indicated that the proposed project site is contaminated. Yet the DEIR does not indicate that a Phase I/II study was undertaken to properly characterize the contamination, evaluate the potential toxic exposures particularly in areas where the soil will be excavated and disturbed, and provide adequate mitigation to protect workers, residents, visitors and businesses. Major contamination could substantially increase air pollution, construction time, costs and require remediation, which should also be addressed in the DEIR.

The DEIR should address aviation safety and the potential incidents and accidents resulting from the increased aircraft flights. In addition, the DEIR should include potential safety hazards due to the proposed significant changes to the existing airport configuration. These would include alterations to aircraft and vehicular parking and staging, including relocating the General Aviation aircraft to Parcel O.

D. Noise

The noise assessment is inadequate. The land use compatibility program should be completed and included in the DEIR for review and comment.

Noise will be generated from additional flights, traffic from passenger and support staff and other expanded airport activities. These sources should be included in the noise assessment. It is also unclear why the significant noise impacts are limited to Parcel O during the nighttime hours. In addition, the mitigations are deferred to a future study; therefore, the impacts cannot be considered as mitigated to insignificance.

The DEIR fails to address the existing and regular violations of the Noise Ordinance. Mitigations such as sound proofing and noise barriers should be undertaken currently. Additional mitigations should be taken to ensure that existing noise violations are addressed before any additional flights are allowed.

With the increased noise, air pollution and other environmental and health impacts, coupled with potential declining property values and associated blight, a reasonable mitigation to consider would be to identify appropriate parcels for purchase. This has been, and continues to be undertaken at LAX.

E. Transportation and Circulation /Land Use

The DEIR identifies significant impacts in traffic will occur and proposes that a traffic monitoring program be developed in the future. This program should be developed and included in the DEIR to ensure that this program will reduce traffic to insignificant levels.

As addressed earlier, there will be potentially significant traffic and circulation impacts from the cumulative impacts of the build alternatives and other projects in and around the airport. The DEIR must conduct additional cumulative traffic analysis based on the reasonably foreseen projects in the airport area and propose appropriate mitigations.

As to the parking, the DEIR acknowledges that the Proposed Project may induce airport land uses beyond the airport boundaries, as off site parking may be required. As such, these impacts need to be analyzed now for the various parking options. It also brings into question the assertion that this project is "not growth inducing".

In addition, the DEIR acknowledges that the Proposed Project will result in more than 4.2 MAP. Mitigation measure MM3.8-2 states that "...when the annual passenger levels reach 4.2 MAP, the Airport Manager shall identify and develop additional on-site parking opportunities." If 4.2 MAP is exceeded, the environmental impact analysis in the DEIR will be underestimated.

F. Others

While the DEIR states that there will be no impact on utilities. Public testimony in the record will show that numerous comments were made about the need for additional electric power, particularly to support various electric equipments, such as GSE.

Thank you for the opportunity to provide comments. We look forward to a revised EIR that fully evaluates the potential impacts of this very important project.

Sincerely,

Craig M. Carter
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